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**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

AMCOR FLEXIBLES, INC.,

Plaintiff,

vs.

FRESH EXPRESS, INCORPORATED,

Defendant.

Case No. 3:14-cv-01025-LB

**STIPULATION RE: EXTENSION OF  
CASE MANAGEMENT DEADLINES**  
ORDER

Judge: Magistrate Laura Beeler

**TO THIS HONORABLE COURT:**

Plaintiff AMCOR FLEXIBLES, INC. (Plaintiff), and Defendant, FRESH EXPRESS, INCORPORATED (Defendant), through their respective counsel, respectfully submit the following Stipulation and Proposed Order for an extension of the previously-set Case Management deadlines.

WHEREAS, this case involves claims of breach of contract by Plaintiff Amcor Flexibles against Defendant Fresh Express relating to the sale and purchase of certain goods;

WHEREAS, the parties previously met and conferred concerning case management deadlines and submitted agreed-upon dates to this Court in their Joint Report pursuant to F.R.C.P. Rule 26;

WHEREAS, the parties appeared before this Honorable Court on August 21, 2014 and discussed their agreement concerning the case management deadlines in this case;

WHEREAS, on August 29, 2014, this Honorable Court entered its Case Management and Pre-Trial Order setting forth the case management deadlines, and referred the parties to private mediation per their request;

WHEREAS, the parties have since met and conferred further and have discussed a brief continuance of certain case management deadlines so that the parties may complete necessary discovery matters prior to participating in private mediation;

WHEREAS, the parties have agreed upon a neutral mediator and have discussed availability among counsel, clients, and the neutral mediator, and are confident that, with the proposed stipulated extension of time, the parties can complete the private mediation during the week of December 8, 2014;

WHEREAS, none of the requested extensions of time results in a change to the trial date or any other dates on which the parties are set to appear before this Honorable Court;

WHEREAS, the parties do not seek the requested extension in order to delay the proceedings or prejudice any party, but instead so that justice may be done;

**THE PARTIES HEREBY STIPULATE THAT:**

1. The last day to complete private mediation, previously set for November 4, 2014, shall be continued to December 31, 2014;
2. Non-expert discovery cut-off, previously set for February 17, 2015, shall be continued to March 17, 2015;
3. Expert disclosures, previously set to take place on March 2, 2015, shall be continued to April 2, 2015;
4. Rebuttal expert disclosures, previously set to take place on March 17, 2015, shall be continued to April 17, 2015; and
5. Expert discovery cut-off, previously set for March 30, 2015, shall be continued to April 30, 2015.
6. All remaining dates set forth in the Case Management and Pre-Trial Order entered on August 29, 2014 shall remain as scheduled.

**IT IS SO STIPULATED:**

DATED: October 9, 2014

HINSHAW & CULBERTSON LLP

*/s/ Amy K. Jensen*

AMY K. JENSEN  
Attorneys for AMCOR FLEXIBLES, INC.

DATED: October 9, 2014

MEUERS LAW FIRM, P.L.

APPROVED

*/s/ Lawrence H. Meuers*

LAWRENCE H. MEUERS  
Judge Laurence H. Meuers  
Attorneys for FRESH EXPRESS, INC.

Dated: October 10, 2014

**STIPULATION RE: EXTENSION OF CASE MANAGEMENT DEADLINES**